IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA	§	
	§	
vs.	§	**3:10-CR-00260 (7)**
	§	
HASSAN AHMED DAHIR	§	

ORDER
Based upon the validation of the IBIS, the Court concludes this proof satisfies Daubert but the Defendant can submit proof on its probative value at trial.
[signature]
3-9-12

DEFENDANT HASSAN AHMED DAHIR'S MOTION IN LIMINE TO EXCLUDE TESTIMONY OF FINGERPRINT EVIDENCE AND SUPPORTING MEMORANDUM OF LAW

Comes Defendant, Hassan Ahmed Dahir, through the undersigned counsel, Patrick T. McNally, and, pursuant to the Due Process Clause of the 5th and 14th Amendments to the United States Constitution, hereby respectfully requests this Honorable Court to exclude from the trial of this case any expert testimony of fingerprint evidence proffered to identify Defendant Dahir. In support of this Motion, counsel for Defendant Dahir would respectfully submit the following statement of the case and relevant legal arguments.

STATEMENT OF FACTS

During the trial of this matter, the government intends to introduce testimony that police officers with the Rochester, Minnesota Police Department stopped a vehicle and identified Defendant Dahir from fingerprint evidence as the driver of the vehicle. On May 8, 2007, Sargent Pingel of the Rochester Police Department stopped a gray Plymouth existing a Kwik Trip in Rochester. Officer Fix arrived at the scene with a device identified as "IBIS." "IBIS" is a acronym for Integrated Biometric Identification System – a mobile identification system. The product is manufactured by L-1 Identity Solutions out of Bloomington, Minnesota. The mobile handheld unit is a police tool used to take and process fingerprints at the scene of a stop and employs wireless